

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

EDGAR H. EDMONDSON III,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-04-1350-F
)	
CORRECTIONS CORPORATION)	
OF AMERICA, et al.,)	
)	
Defendants.)	

ORDER

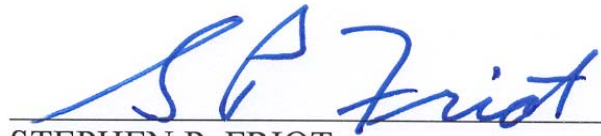
Magistrate Judge Valerie K. Couch's Report and Recommendation, filed May 18, 2005, is before the court. (Report at docket entry no. 23.) The Report recommends denying Defendants' Motion to Dismiss (motion at docket entry no. 15), but dismissing the Complaint under 28 U.S.C. § 1915(e)(2)(B)(ii) on the ground that plaintiff has failed to satisfy the exhaustion requirement of the Prison Litigation Reform Act as set out in 42 U.S.C. § 1997e(a).

The Report advises the parties of their right to object and states that any such objection must be filed by June 7, 2005. The Report further advises that failure to make timely objection to the Report waives the right to appellate review of the factual and legal issues addressed in the Report. Neither party has objected to the Report, and neither party has requested an extension of time within which to object to the Report.

Upon review, the May 18, 2005 Report and Recommendation of Magistrate Judge Valerie K. Couch is **ACCEPTED**, **ADOPTED**, and **AFFIRMED** in its entirety. As recommended in the Report, Defendants' Motion to Dismiss is **DENIED**; the Complaint is **DISMISSED** under 28 U.S.C. § 1915(e)(2)(B)(ii) on the ground that

plaintiff failed to satisfy the exhaustion requirement of the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a).

Dated this 22nd day of June, 2005.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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